

**MINUTES OF THE
BUSINESS AND LABOR INTERIM COMMITTEE**

Wednesday, October 15, 2008 – 2:15 p.m. – Room W025 House Building

Members Present:

Sen. Kevin T. VanTassell, Senate Chair
Sen. Gene Davis
Sen. Karen Mayne
Sen. Wayne L. Niederhauser
Rep. Jackie Biskupski
Rep. Carl W. Duckworth
Rep. James A. Dunnigan
Rep. Kevin S. Garn
Rep. Brian P. Monsen
Rep. Paul A. Neuenschwander

Members Absent:

Rep. Stephen D. Clark, House Chair
Sen. Dan R. Eastman
Sen. John W. Hickman
Rep. David Clark
Rep. Ben C. Ferry
Rep. Todd E. Kiser
Rep. Karen W. Morgan
Rep. Patrick Painter
Rep. Gordon E. Snow

Staff Present:

Ms. Allison M. Nicholson, Policy Analyst
Ms. Patricia Owen, Associate General Counsel
Ms. Phalin L. Flowers, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair VanTassell called the meeting to order at 2:34 p.m. He excused Rep. S. Clark, Rep. Kiser, and Rep. Morgan from the meeting.

MOTION: Rep. Neuenschwander moved to approve the minutes of the September 17, 2008 meeting. The motion passed unanimously with Sen. Davis and Rep. Duckworth absent for the vote.

2. Disaster Preparedness for Businesses

Ms. Renee Murphy, Section Manager, Private Sector/Be Ready Utah, Division of Homeland Security (Division), Utah Department of Public Safety, distributed and discussed "Business Continuity Planning Guidebook" and "Ready Your Business: Be Ready." She spoke about the Division's efforts to get individuals and businesses in the state to create continuity plans in the event of a disaster.

3. Report: Title Insurance

Mr. John "Mickey" Braun, Assistant Commissioner, Utah Department of Insurance (Department), distributed and discussed a letter reporting complaints received by the Department regarding title insurance and title licensees.

4. Report: Workers' Compensation Insurance

Mr. Brad Tibbitts, Director, Property and Casualty Division, Utah Department of Insurance, distributed and discussed a letter regarding statistical data compiled by the Workers' Compensation Fund and the National Association of Insurance Commissioners and "Residual Market Statistics." He explained that the Workers' Compensation Fund is required to report statistics on the residual market. Mr. Tibbitts noted that the state has a solid base of insurers who offer workers compensation insurance to businesses around the state.

Mr. Dennis Lloyd, General Counsel, Worker's Compensation Fund, explained the Workers' Compensation Fund's pharmacy benefit procedures.

5. Report: Business Resource Centers

Mr. Jason Perry, Director, Governor's Office of Economic Development (GOED), said GOED has selected three state institutions of higher education to award funds for business resource centers.

Mr. Gary Harter, Managing Director, Cluster Development, GOED, explained that business resource centers are coordination points for businesses at a local level and felt that this program will enhance the success of small businesses around the state.

6. Report: Controlled Substances Database

Dr. Robert Rolfs, State Epidemiologist, Utah Department of Health (Department), distributed and discussed "Prescription Pain Medication Program Summary Report to Business and Labor Interim Committee, 2008." He gave the Committee an update on what the Department of Health is doing to prevent and lower the number of controlled substance overdose deaths. He also reported on the status of the controlled substances database.

7. Report: Medical Complication Exclusions

Mr. Kelly Atkinson, Executive Director, Utah Health Insurance Association, explained the concept of a secondary medical complication exclusion. He said that insurance providers around the state have increased notification to patients regarding exclusions from coverage, including elective surgeries and any complications arising from elective surgeries. He noted that health insurance providers have also included additional information on secondary exclusions in their policy manuals, and also have trained personnel to discuss secondary exclusions with patients.

Mr. Braun explained to the Committee that there is no statute of limitations on medical complication exclusions.

Mr. Jeff Jensen, Director, Public Employees Health Program (PEHP), reported that PEHP is revising its materials and training its customer service personnel to better explain secondary exclusions to its clients.

8. Subcontractor Payment Issues

This item was not discussed.

9. Other Items / Adjourn

MOTION: Rep. Neuenschwander moved to adjourn the meeting. The motion passed unanimously with Sen. Davis, Rep. Biskupski, and Rep. Duckworth absent for the vote.

Chair VanTassell adjourned the meeting at 4:00 p.m.